IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

FRIDAY, THE 13TH JULY 2007 / 22ND ASHADHA 1929

Bail Appl..No. 4248 of 2007()

CRIME NO.182/07 OF BALARAMAPURAM POLICE STATION
CMP.3376/2007 of J.M.F.C.-III,NEYYATTINKARA

.....

PETITIONER/ACCUSED

SUNIL KUMAR @ SURESH S/O.SREEKUMAR,
AGED21, VADAKKEKARA, THERIVILA PUTHEN VEEDU,
KOZHODU ANTHIYOOR DESOM,KOTTUKAL VILLAGE.

BY ADV. SRI.R.T.PRADEEP

RESPONDENTS:

STATE OF KERALA, REPRESENTED BY PUBLIC
PROSECUTOR HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. S.U. NAZAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 13/07/2007, A/W. BA 4262 OF 2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

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B.A.Nos. 4248 & 4262 of 2007

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Dated this the 13th day of July, 2007

O R D E R

Applications for regular bail. The common petitioner in these two petitions have come before this Court. In one case, he faces allegation under Section 401 I.P.C., whereas in the other he faces allegation under Section 379 I.P.C. He was arrested and he continues in custody from 18.5.2007. In both cases investigation is complete and final report has already been filed. The learned counsel for the petitioner submits that the petitioner has no history of any anterior crime. After his arrest in the crime under Section 401 I.P.C. a later allegation of chain snatching has been raised and he has been implicated in the crime. The petitioner may, in these circumstances, be enlarged on bail, subject to appropriate terms and conditions, submits the learned counsel for the petitioner.

2. The learned Prosecutor only submits that the possibility of commission of similar crimes in future may be sufficiently provided against. I am satisfied that the petitioner, against whom there is no allegation of any prior criminality, can now be enlarged on bail subject to appropriate terms and conditions.

3. In the result:

1) This application is allowed.

2) The petitioner shall be released on bail on the following terms and conditions.

(a) The petitioner shall in each case execute a bond for Rs.50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum to be satisfaction of the learned Magistrate.

(b) He shall report before the Investigating Officer between 5 p.m. and 6 p.m. on the first and third Sundays of all English Calender months until the case against him is finally disposed of.

(R. BASANT)
Judge

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